

ANADROMOUS WATERS CATALOG/ATLAS CORRECTION FORM

CORRECTION TO: ATLAS _____ CATALOG _____

REGION: INTERIOR

MAP: EAGLE

WATERWAY NUMBER: 334-45-11000-2600

DESCRIBE CHANGE(S): Back up into on Ferry mile
River & Tributaries & their
Deletion.

CHANGE REQUESTED BY : _____

DATE

DRAFTED/DIGITIZED BY: _____

DATE

REVISION CODE: F-1

NOMINATION NUMBER: 99-330A

** ATTACH THIS FORM TO EXISTING NOMINATION FORM IN THE FILE **

Edward W. Weiss

From: Mac McLean [mac_mclean@fishgame.state.ak.us]
Sent: Friday, January 21, 2000 2:51 PM
To: Edward W Weiss
Subject: 40 Mile

Got your phone message. Regrettably I have not finished the report yet - but will send delisting nominations with the supportive backup. All of them upstream of the border are being delisted without prejudice. Future data may result in a relisting. However, BLM just released its winter water gaging study. It appears most winters (during the 90s at least) there may not have been enough flow (if any) to support a viable year to year population.

Weiss, Ed

From: McKay, Don
Sent: Thursday, January 28, 1999 10:07 AM
To: McLean, Mac
Cc: Weiss, Ed; Trasky, Lance
Subject: RE: 40 Mile Designation

There is precedent. I recall drainages such as Paint River in Cook Inlet that were specified above a falls based on a previous department stocking program that had been discontinued. The river should not have been specified to begin with, but it was. There are others. Practically, I would not require a permit from an applicant if I didn't have reasonable knowledge that fish periodically traveled through the area!

-----Original Message-----

From: **McLean, Mac**
Sent: Wednesday, January 27, 1999 11:26 AM
To: McKay, Don
Subject: 40 Mile Designation

I talked w/ Janet K. yesterday and I believe I'm inclined to recommend delisting without prejudice the 40 Mile River from the anadromous catalog. Chuck Meachum and I managed to collect only one juvenile chinook after three days of trapping in the mainstem, north fork, south fork and walker fork. Since 1960 juveniles have been trapped only one other time.

Based on winter flow data I believe it is on the upper fringe. Some years spawners return and some years they actually pull off a successful hatch - but often they don't. Politically, I don't believe it is worth putting the rest of the catalog just to doggedly hand on to the 40 Mile.

My question for you. Officially, the next catalog revision may not be for 1 to 1 1/2 yrs. Is there precedent in Region II for not requiring or issuing AS 16 permits while delisting is pending. If so, was it a formal finding or just an unofficial action by the area permitter. Ed Weiss seemed to think so but couldn't remember a specific case.

DEPARTMENT OF FISH AND GAME

HABITAT AND RESTORATION DIVISION

P.O. BOX 25526
JUNEAU ALASKA 99802-5526
PHONE: (907) 465-4105/4125
FAX: (907) 465-4759

February 18, 1999

Mr. David W. Likins, President
Fortymile Mining District
P.O. Box 106
Eagle, AK 99738-0106

Dear Mr. Likins:

RE: Anadromous Stream Classification for the Fortymile River

At your request, the Department committed last spring to surveying the Fortymile River and its tributaries to determine whether its listing remained warranted in the *Catalog and Atlas of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish*. A survey was completed by Mr. Mac McLean, Habitat and Restoration Division - Fairbanks, and Mr. Chuck Meachum, a representative of the Fortymile Mining District, on August 7-9, 1998. Sites were sampled with baited minnow traps at 29 locations over 50 stream miles in the mainstem, North Fork, South Fork and Walker Fork Fortymile River and their tributary streams. Two hundred and thirty nine trap hours were fished. In total, one juvenile chinook salmon and ten sculpins were collected. The single chinook salmon juvenile was collected in lower Polly Creek located just upstream of the Taylor Highway bridge.

Prior to the 1998 survey, our records dating back to the 1960s indicate that a total of 16 juvenile and two adult chinook salmon, 16 adult chum salmon, and one unidentified salmon have been observed by state, federal, and private entities in the Alaskan portion of the Fortymile River. After reviewing hydrologic conditions, including winter water flow observations by the Bureau of Land Management since the early 1990s, and salmon run indicators on the Canadian side of the border, it is our preliminary conclusion that anadromous fish runs in the Fortymile River are at the upper limit of their natural distribution and may not successfully reproduce on an annual basis. Some years it appears there is adequate winter water flows to support a successful egg hatch. But most years it appears there is not. This may explain why juvenile salmon are periodically observed but not consistently year to year.

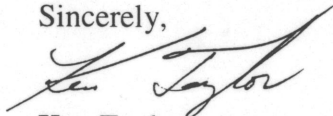
Based on the available information, I have determined that the department will delist, without predjudice, the Fortymile River and its tributaries from the *Catalog and Atlas of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish*. The Department reserves the right to redesignate these waters in the future if additional data supports such classification. We do not anticipate a formal revision of the Catalog or Atlas for at least one

February 18, 1999

year. Until the Fortymile and its tributaries are formally delisted, the Department will administratively suspend all permit authorization under Alaska Statute 16.05.870. Activities potentially affecting fish passage will continue to be reviewed and permitted under Alaska Statute 16.05.840.

A final report is in preparation and will be distributed this spring to all interested parties detailing our survey findings and final determination. I appreciate your interest and support for this effort. If there are any questions regarding the 1998 survey, you may contact either me or Mac McLean at 907-459-7281.

Sincerely,



Ken Taylor
Director

cc: The Honorable Pete Kelly, Alaska State Senate
The Honorable Robin Taylor, Alaska State Senate
The Honorable Gail Phillip, Alaska State House
Frank Rue, Commissioner, ADF&G, Juneau
Geron Bruce, ADF&G, Juneau
Chuck Meachum, 533 Main Street, Juneau, AK 99801
Leslie Chapman, Box 460, Dawson City, YT Y0B 1G0
Steve Borell, AMA, 3305 Arctic Blvd., Suite 202, Anchorage, AK 995
Larry Taylor, P.O. Box 101, Eagle, AK 99738-0101
Al Ott, ADF&G, Fairbanks
Lance Trasky, ADF&G, Anchorage
Mac Minard, ADF&G, Fairbanks
Tom Kron, ADF&G, Anchorage
Keith Schultz, ADF&G, Fairbanks
Dan Reed, ADF&G, Fairbanks

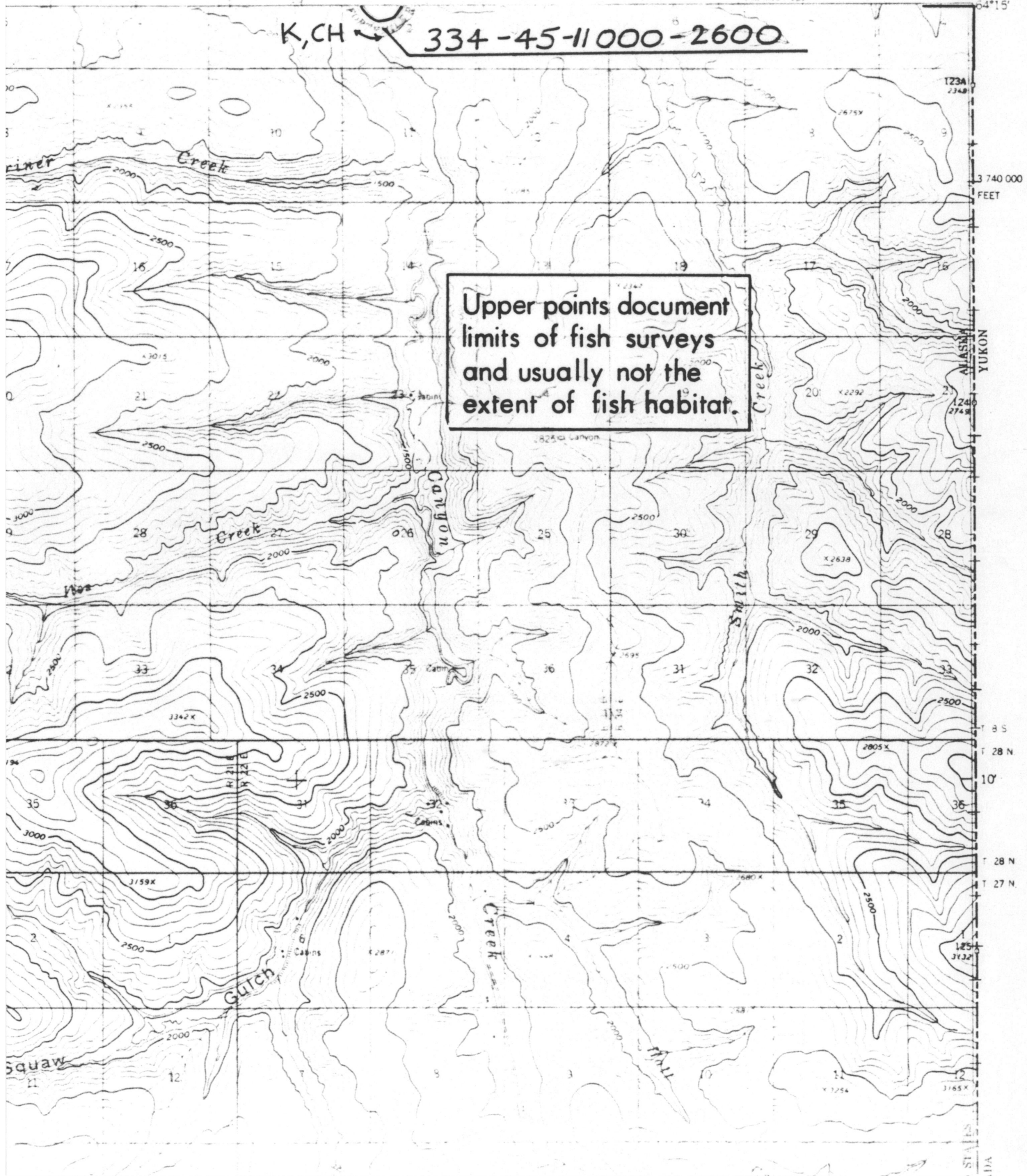
EAGLE (A-1) QUADRANGLE
ALASKA
63 360 SERIES (TOPOGRAPHIC)

141°00'
64°15'

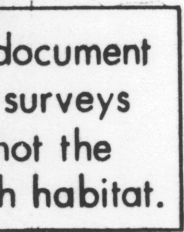
K, CH

334-45-11000-2600

Upper points document
limits of fish surveys
and usually not the
extent of fish habitat.



1:63 360 SERIES (TOPOGRAPHIC)





IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Northern District Office
Fortymile Management Area
P.O. Box 309
Tok, Alaska 99780
(907) 883-5121
(907) 883-5123 (fax)

ALASKA DEPT. OF
FISH & GAME

MAR 6 3 1998

REGION II
HABITAT AND RESTORATION
DIVISION

February 25, 1998

Ed Weiss
Alaska Department of Fish and Game
Habitat and Resource Division
333 Raspberry Road
Anchorage, Alaska 99518-1599

Dear Mr. Weiss:

This letter is a follow-up to our telephone conversation on February 24, 1998 regarding recent information on anadromous fish in the Fortymile River.

Our field notes indicate that salmon were seen on the following dates:

- 8/24/95. Twelve chum salmon were seen in Mickey Creek (just above Clinton Creek). Three dead fish were also found at this location. Photographs were taken.
- 7/23/94. One salmon was seen swimming upstream through a riffle at the confluence of Champion Creek and the North Fork River. The salmon was red in color and approximately thirty inches in length.

We understand that there may be some studies conducted on the fisheries in the Fortymile River in the near future. Please feel free to coordinate with the Fortymile Team, we may be able to assist with some logistical support.

Sincerely,


Kathleen M. O'Reilly-Doyle
Realty Specialist

Enclosures:

- Maps
- Brochures: Fortymile River Rapids and Access Points

Cc: Carl Kretsinger, Central Yukon Team, BLM
Ingrid Kacher, Steese Team, BLM

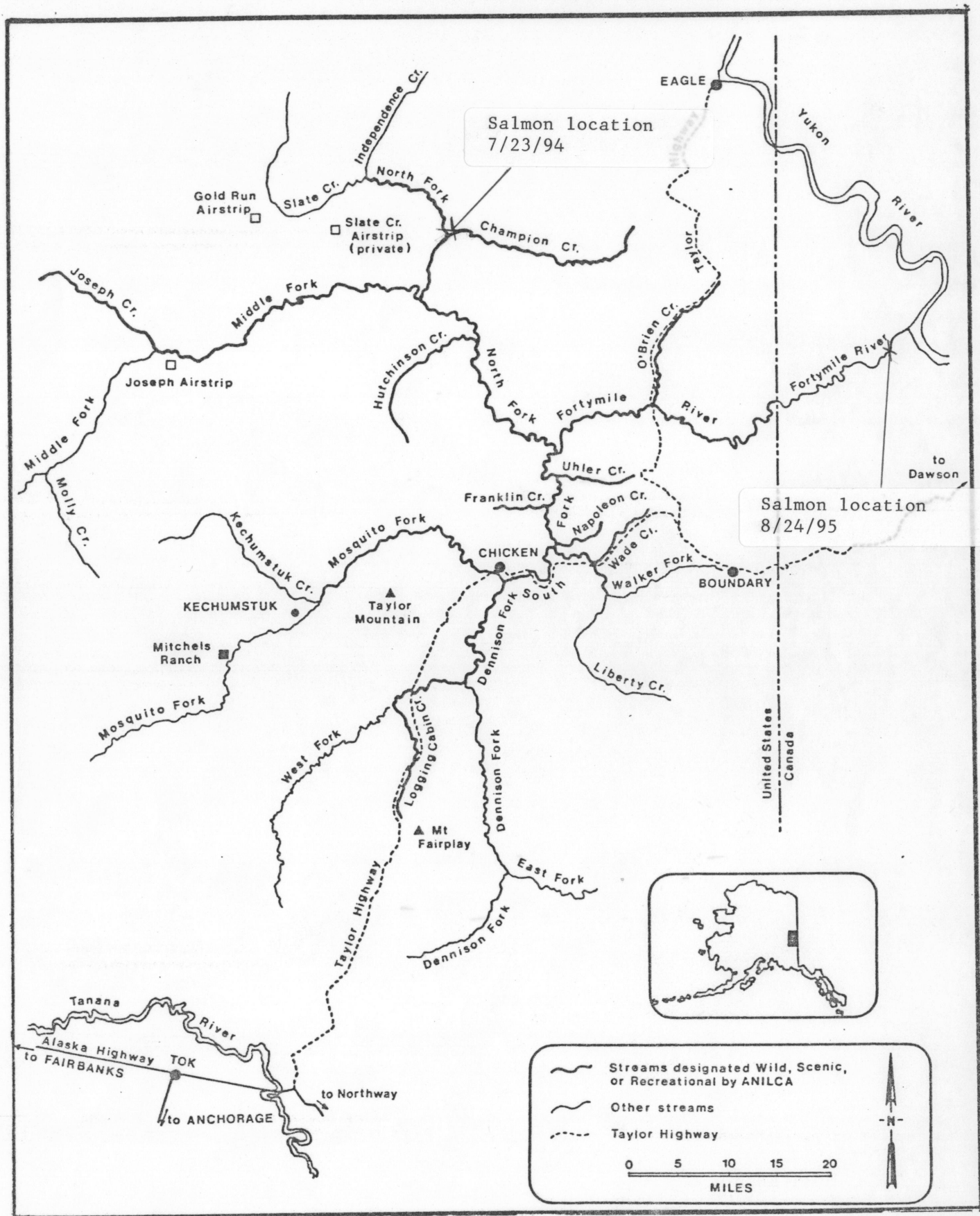
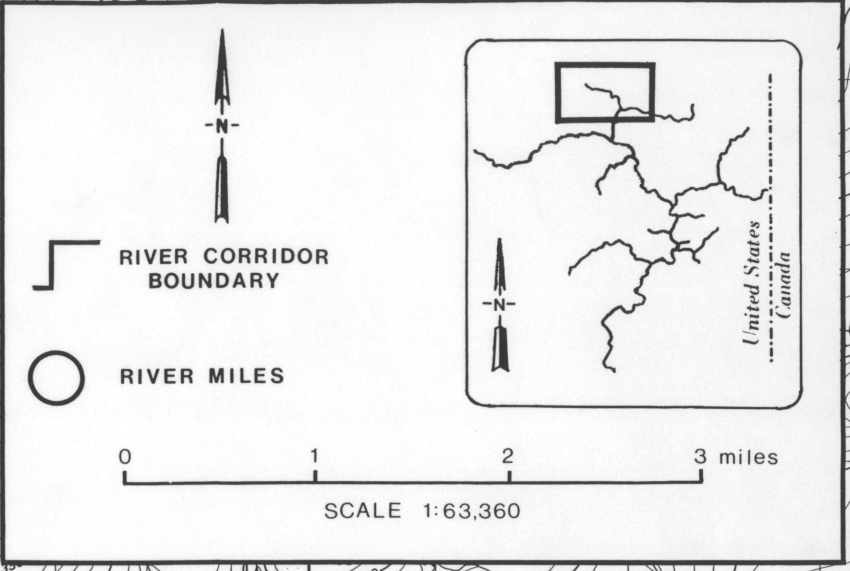
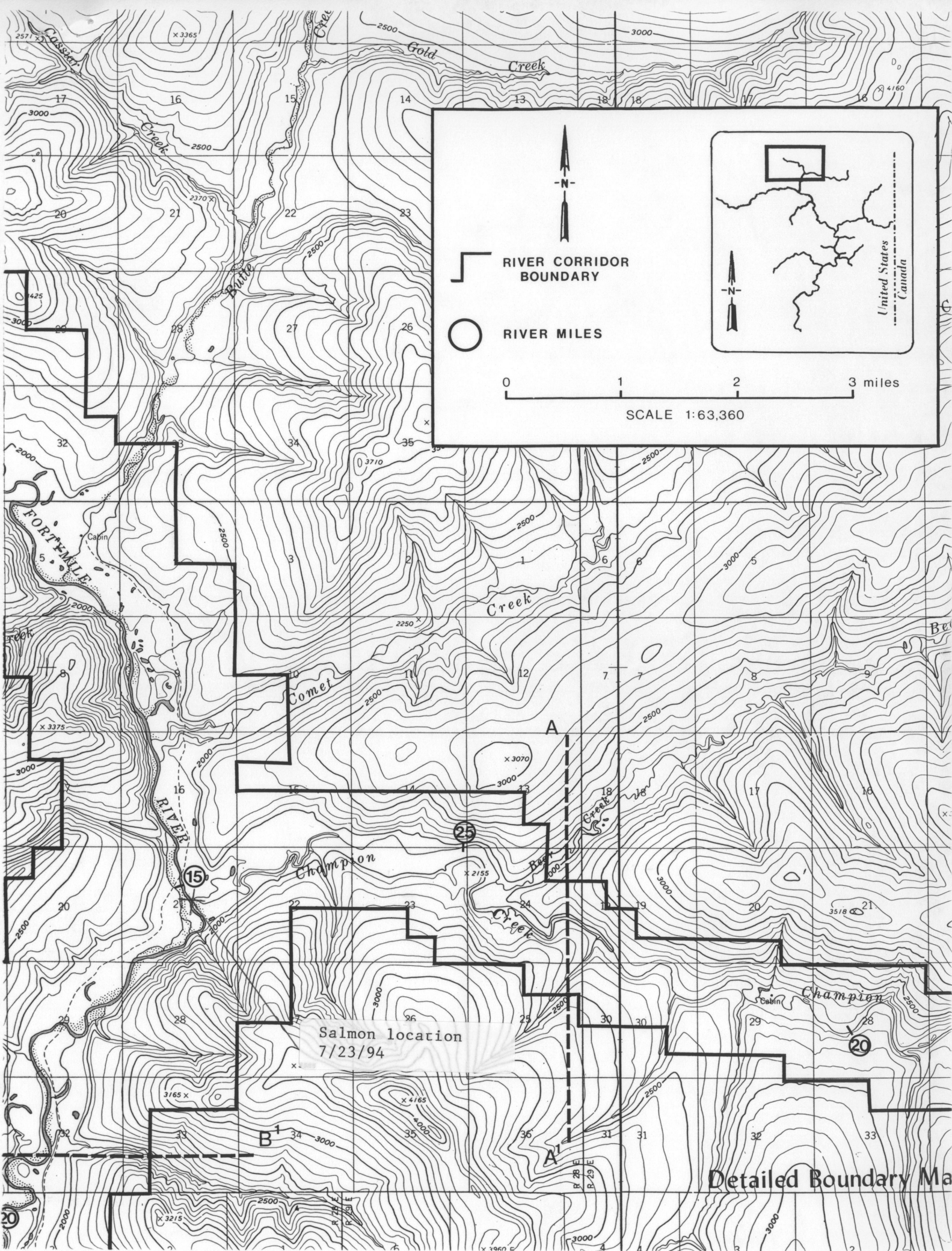


Exhibit A
Map-General Area



Salmon location
7/23/94

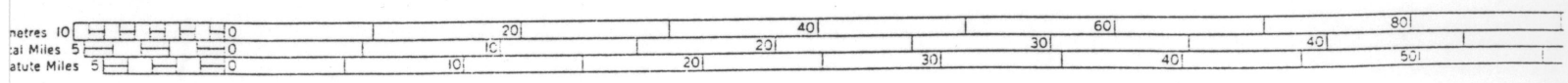
Detailed Boundary Ma



Salmon location
8/24/95

ONS IN FEET

(Joins Fort Selkirk 115 N.W. and 115 N.E.)



SCALE 1:500,000